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The motion to seal is granted temporarily. The Court will assess whether to keep the documents at issue sealed or redacted when resolving the underlying dispute. The Clerk of Court is directed to terminate ECF No. 94.

March 15, 2024

SO ORDERED.



March 18, 2024

Via ECF

Hon. Jesse M. Furman
United States District Court for the
Southern District of New York
40 Foley Square
New York, New York 10007

Re: UMB Bank, N.A. v. Bristol Myers Squibb Company, No. 21 Civ. 4897 JMF


Dear Judge Furman,

We write on behalf of Plaintiff UMB Bank, N.A. (“UMB”), solely in its capacity as Trustee under the Contingent Value Rights Agreement. UMB respectfully requests leave to file its opposition to Bristol Myers Squibb Company’s (“BMS”) motion to dismiss with redactions and to file certain exhibits supporting UMB’s opposition to BMS’s motion to dismiss under temporary seal.

Pursuant to Paragraph 7.C.i of the Court’s Individual Rules, UMB conferred with BMS and indicated that UMB intended to file Exhibits 1–14 and 16–20 from the Declaration of Joshua S. Margolin (“Declaration”) which BMS has designated as confidential, highly confidential, or attorneys’ eyes only under temporary seal. UMB also conferred with non-party Lonza Houston, Inc. (“Lonza”) and indicated that it intended to file Exhibit 15 of the Declaration which Lonza has designated as confidential under temporary seal. BMS and Lonza agreed to this procedure.

Consistent with the Court’s February 5, 2024 Order, we respectfully request that the Court temporarily grant UMB’s motion to seal and “assess whether to keep the document[s] at issue sealed or redacted when resolving the underlying dispute.” ECF No. 78.

Sincerely,



Joshua S. Margolin
Partner